

§ 172.338

49 CFR Ch. I (10–1–13 Edition)

<i>Packaging:</i>	<i>When:</i>	<i>Then the alternative marking requirement is:</i>
(5) On cargo tanks, including compartmented cargo tanks, or tank cars.	They contain more than one petroleum distillate fuel.	The identification number for the liquid petroleum distillate fuel having the lowest flash point is displayed. If the cargo tank also contains gasoline and alcohol fuel blends consisting of more than 10% ethanol the identification number “3475” or “1987,” as appropriate, must also be displayed.

(d) When a bulk packaging is labeled instead of placarded in accordance with §172.514(c) of this subchapter, identification number markings may be displayed on the package in accordance with the marking requirements of §172.301(a)(1) of this subchapter.

[Amdt. 172–101, 45 FR 74667, Nov. 10, 1980, as amended by Amdt. 172–74, 47 FR 40365, Sept. 30, 1982; Amdt. 172–109, 52 FR 13038, Apr. 20, 1987; Amdt. 172–110, 52 FR 29528, Aug. 10, 1987; Amdt. 172–123, 55 FR 52593, Dec. 21, 1990; 56 FR 66255, Dec. 20, 1991; 65 FR 50459, Aug. 18, 2000; 73 FR 4716, Jan. 28, 2008; 76 FR 43527, July 20, 2011; 78 FR 14714, Mar. 7, 2013]

§ 172.338 Replacement of identification numbers.

If more than one of the identification number markings on placards, orange panels, or white square-on-point display configurations that are required to be displayed are lost, damaged or destroyed during transportation, the carrier shall replace all the missing or damaged identification numbers as soon as practicable. However, in such a case, the numbers may be entered by hand on the appropriate placard, orange panel or white square-on-point display configuration providing the

correct identification numbers are entered legibly using an indelible marking material. When entered by hand, the identification numbers must be located in the white display area specified in §172.332. This section does not preclude required compliance with the placarding requirements of subpart F of this subchapter.

[Amdt. 172–110, 52 FR 29528, Aug. 10, 1987]

Subpart E—Labeling

§ 172.400 General labeling requirements.

(a) Except as specified in §172.400a, each person who offers for transportation or transports a hazardous material in any of the following packages or containment devices, shall label the package or containment device with labels specified for the material in the §172.101 table and in this subpart:

(1) A non-bulk package;

(2) A bulk packaging, other than a cargo tank, portable tank, or tank car, with a volumetric capacity of less than 18 m³ (640 cubic feet), unless placarded in accordance with subpart F of this part;

(3) A portable tank of less than 3785 L (1000 gallons) capacity, unless placarded in accordance with subpart F of this part;

(4) A DOT Specification 106 or 110 multi-unit tank car tank, unless placarded in accordance with subpart F of this part; and

(5) An overpack, freight container or unit load device, of less than 18 m³ (640 cubic feet), which contains a package for which labels are required, unless placarded or marked in accordance with §172.512 of this part.

(b) Labeling is required for a hazardous material which meets one or more hazard class definitions, in accordance with column 6 of the §172.101 table and the following table:

Hazard class or division	Label name	Label design or section reference
1.1	EXPLOSIVES 1.1	172.411
1.2	EXPLOSIVES 1.2	172.411
1.3	EXPLOSIVES 1.3	172.411
1.4	EXPLOSIVES 1.4	172.411
1.5	EXPLOSIVES 1.5	172.411
1.6	EXPLOSIVES 1.6	172.411

Hazard class or division	Label name	Label design or section reference
2.1	FLAMMABLE GAS	172.417
2.2	NONFLAMMABLE GAS	172.415
2.3	POISON GAS	172.416
3 Flammable Liquid (Combustible liquid)	FLAMMABLE LIQUID (none)	172.419
4.1	FLAMMABLE SOLID	172.420
4.2	SPONTANEOUSLY COMBUSTIBLE	172.422
4.3	DANGEROUS WHEN WET	172.423
5.1	OXIDIZER	172.426
5.2	ORGANIC PEROXIDE	172.427
6.1 (material poisonous by inhalation (see § 171.8 of this subchapter)).	POISON INHALATION HAZARD	172.429
6.1 (other than material poisonous by inhalation)	POISON	172.430
6.1 (inhalation hazard, Zone A or B)	POISON INHALATION HAZARD	172.429
6.1 (other than inhalation hazard, Zone A or B)	POISON	172.430
6.2	INFECTIOUS SUBSTANCE ¹	172.432
7 (see § 172.403)	RADIOACTIVE WHITE-I	172.436
7	RADIOACTIVE YELLOW-II	172.438
7	RADIOACTIVE YELLOW-III	172.440
7 (fissile radioactive material; see § 172.402)	FISSILE	172.441
7 (empty packages, see § 173.428 of this subchapter) ..	EMPTY	172.450
8	CORROSIVE	172.442
9	CLASS 9	172.446

¹ The ETIOLOGIC AGENT label specified in regulations of the Department of Health and Human Services at 42 CFR 72.3 may apply to packages of infectious substances.

[Amdt. 172-123, 55 FR 52593, Dec. 21, 1990, as amended at 56 FR 66255, Dec. 20, 1991; Amdt. 172-151, 62 FR 1228, Jan. 8, 1997; 64 FR 10776, Mar. 5, 1999; 64 FR 51918, Sept. 27, 1999; 69 FR 3668, Jan. 26, 2004; 69 FR 64471, Nov. 4, 2004; 78 FR 60753, Oct. 2, 2013]

§ 172.400a Exceptions from labeling.

(a) Notwithstanding the provisions of § 172.400, a label is not required on—

(1) A Dewar flask meeting the requirements in § 173.320 of this subchapter or a cylinder containing a Division 2.1, 2.2, or 2.3 material that is—

(i) Not overpacked; and

(ii) Durably and legibly marked in accordance with CGA C-7, Appendix A (IBR; see § 171.7 of this subchapter).

(2) A package or unit of military explosives (including ammunition) shipped by or on behalf of the DOD when in—

(i) Freight containerload, carload or truckload shipments, if loaded and unloaded by the shipper or DOD; or

(ii) Unitized or palletized break-bulk shipments by cargo vessel under charter to DOD if at least one required label is displayed on each unitized or palletized load.

(3) A package containing a hazardous material other than ammunition that is—

(i) Loaded and unloaded under the supervision of DOD personnel, and

(ii) Escorted by DOD personnel in a separate vehicle.

(4) A compressed gas cylinder permanently mounted in or on a transport vehicle.

(5) A freight container, aircraft unit load device or portable tank, which—

(i) Is placarded in accordance with subpart F of this part, or

(ii) Conforms to paragraph (a)(3) or (b)(3) of § 172.512.

(6) An overpack or unit load device in or on which labels representative of each hazardous material in the overpack or unit load device are visible.

(7) A package of low specific activity radioactive material and surface contaminated objects, when transported under § 173.427(a)(6)(vi) of this subchapter.

(b) Certain exceptions to labeling requirements are provided for small quantities and limited quantities in applicable sections in part 173 of this subchapter.

(c) Notwithstanding the provisions of § 172.402(a), a Division 6.1 subsidiary hazard label is not required on a package containing a Class 8 (corrosive) material which has a subsidiary hazard of Division 6.1 (poisonous) if the toxicity of the material is based solely on the corrosive destruction of tissue